

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

**4:18CR3070**

vs.

JOSEPH L. MELTON,

Defendant.

**ORDER**

Defendant has moved for a review of the detention order and requests a hearing. (Filing No. 110). Under 18 U.S.C. § 3142(f), a magistrate judge may reconsider a prior detention order only if “information exists that was not known to the movant at the time of the hearing and that has a material bearing” on the amelioration of the risks of nonappearance and safety. Here, Defendant’s motion raises the same issues already addressed by this court; that is, whether releasing Defendant to care for his mother sufficiently ameliorates the risk of nonappearance and the risk of harm.

The fact that Defendant’s mother is now facing surgery may make release more important at this time, but it does not address or alter the risks of nonappearance and public safety which will arise if the defendant is released.

Accordingly,

IT IS ORDERED that Defendant’s motion to review detention, (Filing No. 110), is denied.

November 22, 2019.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge